

IN THE CIRCUIT COURT OF EMPIRE COUNTY

WE TUMPKA

ALABAMA

GREGORY LEE PRO. Sec. RECEIVED

CIVIL ACTION NO. _____

PLAINTIFF

2007 JUL 27 10:31

VS.

2:07cv683-ID

NURSE JONES, INDIVIDUALLY AND IN HER
OFFICIAL CAPACITY AS A NURSE FOR
PRISON HEALTH SERVICE, INC.
DEFENDANTS

NURSE WELLS, INDIVIDUALLY AND IN HER
OFFICIAL CAPACITY AS A NURSE FOR
PRISON HEALTH SERVICE, INC.
DEFENDANTS

DOCTOR COBBLE, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS A DOCTOR FOR
PRISON HEALTH SERVICE, INC.
DEFENDANTS

LEON THOMAS WARDEN, INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS WARDEN, ALABAMA DEPARTMENT
OF CORRECTIONS, STATE OF ALABAMA
DEFENDANTS

Sgt. JENKINS INDIVIDUALLY AND IN HIS
OFFICIAL CAPACITY AS A Sgt. FOR THE
DEPARTMENT OF CORRECTIONS
STATE OF ALABAMA
DEFENDANTS

CIVIL ACTION litigation brought under § 6-5-480
"ALABAMA MEDICAL LIABILITY ACT," 1975 NO. 513 § 2

COMES NOW the PLAINTIFF in the above styled cause
CIVIL ACTION, and moves this Court to grant said litigation
and for grounds of said CIVIL litigation respectfully
show unto the Court as Followed:

- (1) the PLAINTIFF nose was broke he was refused medical
treatment and a surgery on his nose, the PLAINTIFF
have trouble trying to breathe.
- (2) DR. COBBLE and the NURSE Refuse to give the PLAINTIFF
medical treatment, he went to shift to get help Sgt.
JENKINS put PLAINTIFF in the face. Warden Thomas
let the officer misused inmates.

DELIBERATE INDIFFERENCE

the Plaintiff is in need of serious medical the health care and others has violates the Eighth Amendment, it is "unnecessary and wanton infliction of pain. *Estelle v. Gamble*, 429 U.S. 2104

the existence of chronic and substantial pain, *Prock v. Wright*, 315 F.3d 158, 162 (2d Cir. 2003).

"A serious medical need is present whenever the failure to treat a prisoner's condition could result in further significant injury or the unnecessary and wanton infliction of pain." *Clement v. Gomez*, 298 F.3d 898, 904 (9th Cir. 2002).

Intentional infliction of pain, discomfort, or risk of harm as punishment. violate the Eighth Amendment *Hoppe v. Peizer*, 536 U.S. 730 2002).

Plaintiff has swollen nose painful, *William v. Shelby County*, 902 F.Supp. 797, 801-02

Plaintiff was denied medication by the nurse and the doctor. treatments would have eliminate pain and suffering at least temporarily *Washington v. Bower*, 860 F.2d 1018, 1021 (11th Cir. 1988).

Borek v. Wisconsin, 930 F.2d 1150, 1154 (6th Cir 1991)

the prison officials did not provide access to adequate medical care. they show deliberate indifference to serious medical needs.

Inmates of Occogan v. Barry, 717 F.Supp. 854 867-68 (D.D.C. 1989).

ANC v. Prison Health Services, Inc 769 F.2d 700, 704-05 (11th Cir. 1985).

(treatments so blatantly inappropriate mistreatment of the Plaintiff it shock the conscience constitutes deliberate indifference). medical staff treated the Plaintiff like a nuisance.

Wellman v. Faulkner, 715 F.2d 269, 272, (7th Cir 1983).

Hughes v. Joliet Correctional Center, 931 F.2d 425 (7th Cir. 1991).

Ruiz v. Estelle, 503 F.Supp. 1265, 1339 (S.D. Tex. 1980).

there was excessive use of force against the Plaintiff each time he request medical treatment.

CIVIL ACTION / 2w sue.

AGAINST the DEFENDANTS

IN this CIVIL ACTION the PLAINTIFF
is suing the DEFENDANT NURSE JONES
FOR \$25000.00 PAIN AND SUFFERING \$50000
EMOTIONAL DISTRESS.

NURSE WEL BEING SUE FOR 25000.00 PAIN AND
SUFFERING 25000.00 FOR PUNITIVE DAMAGE

WARDEN THOMAS IS BEING SUE BY THE PLAINTIFF
FOR \$100,000 PAIN AND SUFFERING \$50,000 PUNITIVE
DAMAGE.

Sgt. JENKINS \$50,000 PAIN AND SUFFERING
\$75000.00 PUNITIVE DAMAGE

DOCTOR COBBIER \$100,000 PAIN AND SUFFERING
\$100,000 EMOTIONAL DISTRESS

CERTIFICATE OF SERVICE

I hereby certify that I have served 2 copy of this
foregoing civil complaint upon the Honorable John B.
Bush Presiding Judge of the Circuit Court of Elmore
County, P.O. Box 310 Wetumpka Alabama 36092-0310
by placing a copy in the Prison Mail Box for
United States Mail First Class, properly addressed
Postage personally paid.

Don this 29th DAY OF June 2007 A.D.

HONORABLE LARRY DOZIER
CIRCUIT COURT CLERK
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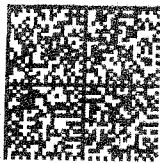
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